

In the
Indiana Supreme Court



IN THE MATTER OF THE
APPROVAL OF LOCAL RULES
FOR FULTON COUNTY

Case No. 25S00-1107-MS-403

ORDER APPROVING AMENDED LOCAL RULE

The judges of the Fulton Circuit and Superior Courts request the approval of an amended local rule for appointment of special judges in accordance with Ind. Trial Rule 79. Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Fulton Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR25-TR79(H)-4, complies with the requirements of Ind. Trial Rule 79, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Fulton County Local Rule, LR25-TR79(H)-4, set forth as an attachment to this Order, is approved effective July 1, 2011, provided further that the rule shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Arthur Christopher Lee, Fulton Circuit Court, 815 Main Street, Rochester, IN 46975-1593; the Hon. Wayne E. Steele, Fulton Superior Court, 815 Main Street, Room 216, Rochester, IN 46975-1593; to the Clerk of the Fulton Circuit and Superior Courts; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Fulton Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 1st day of July, 2011.

R. T. Shepard
Randall T. Shepard
Chief Justice of Indiana

LR25-TR79 (H)-4
SPECIAL JUDGE APPOINTMENT
(Amended effective July 1, 2011)

Purpose of Rule

This rule is adopted to comply with the requirements of Trial Rule 79(H) of the Indiana Rules of Trial Procedure. It is intended to provide a means of selection of special judges insuring the effective use of all judicial resources within Administrative District 8, and includes each person eligible for appointment under Section (J) of Trial Rule 79.

Central Office Established:

There is established a Central Office for keeping of records of appointment and selection of special judges for this District. The Central Office of this District shall be the Howard Superior Court 4.

The Fulton County Courts shall hereafter refer to the Central Office of this District whenever selection of a special judge is required under this rule. The particular Court shall accept from the Central Administrator the name of the individual to then be appointed as special judge.

The person serving as Administrator of the Central Office shall have the following responsibilities:

1. To maintain a list of persons qualified to serve as special judge under Section (J) of Trial Rule 79.
2. To take referrals from the several courts of this District, requesting appointment of a special judge.
3. To alternately and on a rotating basis appoint qualified judges from the list maintained for that purpose.
4. To notify the referring Court of the individual to be appointed under this Rule.

Rotation Schedule:

The following shall be the rotation schedule used by the Central Administrator.

1. The Judge of Cass Superior Court I.
2. The Judge of the Howard Superior Court III.
3. The Judge of the Fulton Superior Court.
4. The Judge of the Howard Superior Court II.
5. The Judge of the Fulton Circuit Court.
6. The Judge of the Howard Circuit Court.
7. The Judge of the Miami Superior Court I.
8. The Judge of the Howard Superior Court I.
9. The Judge of the Cass Circuit Court.
10. The Judge of the Miami Circuit Court.
11. The Judge of the Cass Superior Court II
12. The Judge of the Howard Superior Court 4.
13. The Judge of the Miami Superior Court II.

Administrative Fee:

Each court participating under this Rule shall pay each year the sum of Fifty Dollars (\$50.00) to the Central Administrator, payable directly to the Administrator by the 15th of September of each year.

Certification to Supreme Court:

In cases in which no judge is eligible to serve as special judge in a particular case, or where the circumstances of a case require it, the Court shall certify those circumstances to the Supreme Court, and the Court shall make appointment.